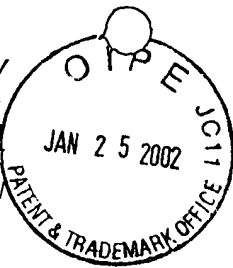


FOLEY
HOAG
ATTORNEYS AT LAW



\$ 1642
Box 500

December 21, 2001

Assistant Commissioner
for Patents
Washington, DC 20231

TECH CENTER 1600/2900

JAN 31 2002

RECEIVED

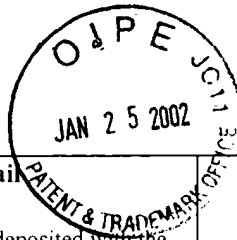
Re: U.S. Patent Application Serial No.: 09/538,106
Entitled: *Cell Regulatory Genes, Encoded Proteins, and Uses
Related Thereto*
By: McKeon, et al.
Filed: March 29, 2000
Attorney Docket No.: HMV-038.02

Dear Sir/Madam:

Enclosed for filing in the above-referenced patent application please find the following:

1. Transmittal (2 pages);
2. Preliminary Amendment (12 pages);
3. A Paper copy of Sequence Listing (65 pages);
4. A copy of Notice to Comply With Sequence Rules (1 page);
5. A diskette with a computer readable form of the Sequence Listing;
6. A Statement to Support Filing and Submission of the Sequence Listing (2 pages);
7. A Petition Requesting One Month Extension of Time (1 page);
8. A check in the amount of \$55.00 for One Month Extension of Time; and
9. Return mail room postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.



RECEIVED

JAN 31 2002

TECH CENTER 1600/2900

Certificate of First Class Mail

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX Sequence, Washington, D.C. 20231, on the date set forth below.

12/21/01

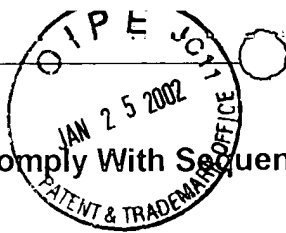
Date of Signature
and Deposit

Michael Phelan

FOLEY, HOAG & ELIOT LLP

Jennifer K. Holmes
Agent for Applicants
Reg. No. 46,778

Notice to Comply With Sequence Rules



Application No.

09/538,106

Examiner

Anne Holleran

Applicant(s)

MCKEON ET AL.

Art Unit

1642

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 8230, May 1, 1990.

☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☒ 3. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has not been submitted as required by 37 C.F.R. 1.821(e).

☐ 4. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has been submitted. However, the content of the CRF does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

☐ 5. The Computer Readable Form (CRF) that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute CRF must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the Computer Readable Form (CRF) of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☐ 7. Other: _____

Applicant Must Provide:

☒ An initial or substitute copy of the **CRF** "Sequence Listing".

☒ An initial or substitute **paper copy** of the "Sequence Listing", as well as an amendment directing its entry into the specification.

☒ A statement that the content of the paper and CRF copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

RECEIVED
JAN 31 2002
TECH CENTER 1600/2900